



LAWRENCE S. LUSTBERG
Director

Gibbons P.C.
One Gateway Center
Newark, New Jersey 07102-5310
Direct: (973) 596-4731 Fax: (973) 639-6285
llustberg@gibbonslaw.com

July 6, 2012

VIA HAND DELIVERY AND ECF

The Honorable Michael A. Hammer
United State Magistrate Judge
United States District Court for the District of New Jersey
Martin Luther King, Jr. Federal Building & Court House
50 Walnut Street, 4th Floor
Newark, New Jersey 07102

Re: *Simpson v. Bayer Pharmaceutical Corporation, et al.*
Docket No. 05-3895 (JLL)(MAH)

Dear Judge Hammer:

As Your Honor will recall, this Firm, along with our colleagues at Sidley Austin LLP are counsel to defendants Bayer Corporation, Bayer HealthCare Pharmaceuticals, Inc., and Bayer HealthCare LLC¹ and are in receipt of a copy of the letter from counsel for Relator Laurie Simpson dated July 5, 2012, requesting a postponement of the telephonic status conference set for Monday, July 9, 2012, until sometime after Judge Linares decides the pending motion to vacate the consolidation order. Although we were surprised that Relator's counsel did not seek to contact us to discuss this matter, as we would have expected, we do not object to the requested postponement or to blocking out the dates suggested by counsel to accommodate his travel plans.

Thank you for your kind attention to this matter.

Respectfully submitted,



Lawrence S. Lustberg

cc: Eugene A. Schoon, Esq. (via ECF)
Jack M. Kint, Jr., Esq. (via ECF)
Robert W. Sadowski, Esq. (via ECF)
Ann Lugbill, Esq. (via ECF)
Mark Hanna, Esq. (via ECF)
Reuben Andrew Guttman, Esq. (via ECF)
James B. Clark, III, Ass't U.S. Attorney (via ECF)
Kyle C. Bisceglie, Esq. (via ECF)

¹ Defendant Bayer AG has not been served and has not waived service of process.